

Remarks

Claims 1-26 are in the application. Claims 1, 9, 17, and 24 are in independent form. Claims 24-26 are allowed. Claims 8, 14, 16, and 20-23 are objected to as being allowable claims that depend from rejected base claims. Reconsideration is requested.

The disclosure is objected to due to informalities in the Cross Reference to Related Applications. The paragraph stating the Cross Reference to Related Applications has been amended to correct the informalities. Applicants request that this objection be withdrawn.

Claims 1, 2, 9-10, and 17 are rejected under 35 U.S.C. 103(a) for obviousness over Ross et al. (U.S. Patent No. 6,263,212) in view of Rune (U.S. Patent No. 6,263,212), with a citation to Fig. 1 of the present application. Applicants respond as follows.

Independent claims 1, 9, and 17 have been amended to clarify that they, in the language of claim 1, relate to a short message point-to-point protocol gateway through which plural short message entities communicate with a plurality of messaging centers. In addition, claims 1, 9, and 17, and related dependent claims, have been amended to clarify that the recited "service types" relate to "message service types." Examples of such message service types are listed in the application at page 18, Table 2.

In this context, claim 1 recites determining at the gateway a routing method based on the message service type, and routing the message from the gateway to one of the plurality of messaging centers according to the routing method. Claim 9 recites determining at the gateway a routing method based on the message service type, and routing the message from the gateway to the message receiving device according to the routing method. Claim 17 recites invoking at the gateway a routing method based on the message service type, and routing the message from the gateway to a message center according to the invoked routing method.

None of the cited references describes a short message point-to-point gateway through which plural short message entities access plural short message centers. Ross et al. describes operation of only a single short message service center 2 in which processing characteristics can be modified for different types of service users. (Ross et al., Abstract and col. 3, lines 16-19.) The specific types or groups of service users described by Ross et al. relate to users of a particular message service type:

Using conventional SMSCs in the integration of the different telecommunications networks presents a problem because they are not capable of differentiating between users within a specific type of service. (Ross et al., col. 1, lines 26-30, emphasis added.)

Accordingly, Ross et al. is directed to providing distinction between groups of users of a particular message service, rather than to distinguishing between messages of different message service types. In addition, applicants note that the passage cited by the Examiner beginning at col. 11, line 31 references a Fig. 10 that is not included in the Ross et al. patent. In addition to not disclosing features of the present claims, the passage referring to Fig. 10 is incomplete and lacking of support due to the omission of the figure.

Moreover, applicant submits that neither the cited passages from applicants' application nor any passage in Rune teaches or suggests the short message point-to-point gateway recited in the claims or the recited method steps relating to message service types. Rune is directed to minimizing the set-up delay for a mobile terminated message by locating a mobile station and studying its page response signal. (Rune, Abstract and col. 1, lines 41-46.) Fig. 1 of the present application shows a separate message center 124 for each service message type. Applicants believe therefore that independent claim 1 and 17, and their respective dependent claims, are patentably distinct from the cited references and request that the rejections of the claims be withdrawn.

With regard to claims 2 and 10, claim 2 recites that the message source device is one of a plurality of different message source devices that communicate

with the gateway using a single interface protocol. With respect to this feature the Examiner cites col. 4, lines 54-67 of Ross et al., which passage describes:

a multi-protocol interface 6 through which short messages may be delivered using commonly known protocols such as Short Messaging Point-to-Point Protocol ("SMPP"), Telocator Alphanumeric Protocol ("TAP"), Simple Mail Transfer Protocol ("SMTP"), and Telocator Data Protocol ("TDP")/Terminal Message Entry ("TME")

Applicants note that Ross et al. describes use of multiple distinct interface protocols rather than the single interface protocol recited in the claim, thereby leading persons skilled in the art away from the claimed subject matter.

Applicants submit, therefore, that claims 2 and 10 are further patentably distinct from the cited references and request that the rejections of claims 2 and 10 be withdrawn.

Claims 3-7, 11-13, 15, and 18 are rejected under 35 U.S.C. 103(a) for obviousness over Ross et al. and Rune in view of Blonder, Hult et al., Astrom, and Stein et al., and in some instances Official Notice. Various claims have been amended to depend more directly from their independent claims. Applicants respond as follows.

Applicants believe that independent claims 1, 9, and 17 are patentably distinct for the reasons set forth above. Accordingly, applicants believe that claims 3-7, 11-13, 15, and 18 are allowable as dependents of patentable independent claims. In addition, applicants believe the dependent claims are further allowable for the following reasons.

Moreover, applicants note that Ross et al. describes operation of a single short message service center 2 in which processing characteristics can be modified for different types of service users. (Ross et al., Abstract and col. 3, lines 16-19.) In contrast, the features recited in rejected claims 3-7, 11-13, 15, and 18 relate to characteristics of the messages being sent or the message service centers. None of the cited references teaches or suggests selecting from a variety of routing methods at a short message point-to-point protocol gateway

through which plural short message entities communicate with a plurality of messaging centers.

The Examiner cites Hult, Astrom, Stein as describing functions similar to the claimed features. Applicants submit that Hult, Astrom, Stein are rather directed to quite distinct features. Hult describes a system in which text messages longer than a maximum length are refused authorization and not sent. Astrom describes a system that addresses communication conflicts at a mobile station. Stein describes a system in which clients locally perform electronic mail services when a network is unavailable.

The particular systems described by Hult, Astrom, Stein are entirely distinct from the features recited in the subject claims. None of the cited references describes selecting at a gateway a routing method from among a group consisting of message center specific, load balancing, mobile destination number (MDN) range, equal allocation and electronic serial number.

The Examiner states that "MDN, service type, IP addressing and destination address for message delivery is [are] also known in the art," however, the Examiner cites no reference in which such routing methods are used to route messages from a SMPP gateway to different message service centers, as recited in claims 1 and 3, for example. The rejected claims recite the specified routing methods in the context of particular methods. The rejection of claims 3-7, 11-13, 15, and 18 indicates that the routing methods are known, but provides no support for a teaching or suggestion to use such routing methods in the claimed method.

It appears that the dependent claims are rejected on the general basis that flow control is known. Applicants submit, however, that each of the dependent claims recites specific features relating to the methods of the respective independent claims. The Examiner acknowledges that these features are not shown in the cited references, but rather supports the rejections by interpreting

the claims to omit the recited features and instead to mean nothing more than "flow control."

Each dependent claim includes the claim features of every claim in the chain of dependency. Rejections are improper if the prior art does not show the specific features recited in the claims, including claims from which dependent claims depend. The Examiner specifically notes that many of these features are not shown in the cited art. Applicants request, therefore, that the rejections of the dependent claims be withdrawn.

Applicants believe the application is in condition for allowance and respectfully request the same.

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Respectfully Submitted,

  
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